

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 04-2455

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Michael T. Manuel,

Appellant,

v.

Claude Kirk; Tim Shockley; Reed  
Very; James Killion; John Doe; Mike  
Taggart; Bryan Goeke; J. C. Steel,

Appellees.

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Appeal from the United States  
District Court for the  
Western District of Missouri.

[UNPUBLISHED]

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Submitted: November 26, 2004  
Filed: November 30, 2003

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Before MURPHY, FAGG, and SMITH, Circuit Judges.

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PER CURIAM.

Michael T. Manuel appeals the district court's<sup>1</sup> dismissal of his 42 U.S.C. § 1983 action claiming defendant prison personnel violated his Eighth and Fourteenth Amendment rights by placing him in administrative segregation for a rule violation

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<sup>1</sup>The Honorable Nanette K. Laughrey, United States District Judge for the Western District of Missouri, adopting the report and recommendations of the Honorable William A. Knox, United States Magistrate Judge for the Western District of Missouri.

without following proper procedures, denying him due process in handling his prison grievances, raising his custody level, and transferring him to a more secure facility. Having carefully reviewed the record, we grant leave to proceed in forma pauperis, and we conclude dismissal was proper for the reasons the district court stated. See Sandin v. Conner, 515 U.S. 472, 483-86 (1995) (only liberty interest in prison is freedom from restraint which creates atypical and significant hardship, and administrative segregation, in itself, is neither); Phillips v. Norris, 320 F.3d 844, 847 (8th Cir. 2003) (no liberty interest in having prison officials follow prison regulations); Buckley v. Barlow, 997 F.2d 494, 495 (8th Cir. 1993) (per curiam) (no liberty interest in having prison officials process grievances according to grievance procedures); see also Montanye v. Haymes, 427 U.S. 236, 242 (1976) (Due Process Clause does not require any hearing in connection with transfers to another prison); Carney v. Houston, 33 F.3d 893, 894 (8th Cir. 1994) (per curiam) (no liberty interest in particular prison classification); Phillips, 320 F.3d at 848 (Eighth Amendment violation requires showing that defendants inflicted pain unnecessarily and wantonly, caused deprivation denying minimal civilized measure of life's necessities, were deliberately indifferent to health and safety, and acted maliciously to cause harm). Accordingly, we affirm. See 8th Cir. R. 47B.

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